



Department of Justice

TRANSCRIPT
OF
PRESS CONFERENCE
OF
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ASSISTANT ATTORNEY GENERAL
OFFICE OF LEGAL POLICY
DEPARTMENT OF JUSTICE
ON
THE ADMINISTRATION'S PROPOSED AMENDMENTS
TO THE
FREEDOM OF INFORMATION ACT

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told the Committee that, was able successfully to figure out the informant's identity, the name began with an "S" and it was a short name. It was the identifier like "S-210".

MR. ROSE: I knew that, but they rubbed out the wrong guy. And I'm telling you that this is going on, and I don't consider using that example an error. I was familiar with the fact it was

QUESTION: Can we start the press conference?

MR. SHEEHAN: Yes, sir. Go ahead.

QUESTION: Today in testimony you said the Administration was not taking a position on the CIA's urging a total exemption. Why? What happened?

MR. ROSE: The Administration has already taken a position on that subject. Deputy Director Inman, I believe in July testified that he believed the only solution to the CIA's difficulty with the Act was that a permanent exemption be provided. Second, Director Casey testified within the last three weeks to the same effect. That represents the Administration's position on that subject.

QUESTION: You didn't say that today. Now you're changing it?

MR. ROSE: No, I haven't changed it. That has been the Administration's position. The only thing that I was trying to say today -- and I may not have said it well -- was we were not addressing that subject in the package before the Judiciary Committee.

QUESTION: The position is what?

MR. ROSE: The same one that Director Casey took three weeks ago, which is the solution to the problems of the CIA is a complete exemption for that agency. And that is the position that is supported by the Administration.

QUESTION: Are you going to be submitting a bill to that effect?

MR. ROSE: We do not have a bill on the Hill to that effect. I assume that at some point one will be submitted, but it was not being addressed today.

QUESTION: Are you working on a bill like that?

MR. ROSE: The Administration is working on a bill like that.

QUESTION: On page 65 of the analysis, when you talk about law enforcement agencies, are you including or excluding the CIA?

MR. ROSE: We do not believe they are a law enforcement agency.

QUESTION: So you exclude them from the reach of that proposal that would give the Attorney General that [power to exempt investigative material on] terrorism, organized crime, or foreign intelligence?

MR. ROSE: Yes. We are not considering it a law enforcement agency, that's correct.

QUESTION: Are they totally exempt from the reach of those words, the CIA?

MR. ROSE: Yes, because that only applies to law enforcement agencies.

QUESTION: But the words are not so written in the bill itself?

MR. ROSE: Well, it's a section-by-section analysis of the words, and that's our intent to do that, yes.

QUESTION: It's not quite clear to me as to whether you say that the Justice Department will endorse in some form or another the Administration's position that the CIA should be exempted.

MR. ROSE: Yes, we will endorse that position.

QUESTION: Would it have been so hard for you to go ahead and do that in this testimony?

MR. ROSE: No. But the point of that testimony was to deal with amendments to the Freedom of Information Act. And I suspect that bill, when it is introduced, will be a separate bill. It will amend the National Security Act. And therefore, I would suspect in the first instance, it would be dealt with by other Committees. And we simply did not want to mix it up with this package.

QUESTION: In other words, it's the form that will not be an amendment to the Freedom of Information Act; it will come in --

MR. ROSE: It will be an amendment, I think, to the National Security Act of 1947.

QUESTION: Back to the same question this gentleman raised about the counterintelligence investigations and organized crime and that stuff. Do the ordinary judicial appeal mechanisms still apply to things the Attorney General unilaterally removes